UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA   :   Hon. William H. Walls

          v.   :   Criminal Number 02-714-6 (WHW)

HECTOR FABIO GARCIA   :   <u>CONTINUANCE ORDER</u>

This matter having come before the Court on the application of the defendant, Hector Fabio Garcia (Ruth M. Liebesman, Esquire, appearing) for an order granting a continuance of the proceedings in the above-captioned matter for a period of ninety days to allow the defendant to conduct plea negotiations and attempt to finalize a plea agreement, and to promote the continuity of counsel by providing defense counsel time to recover from ill health, and one continuance having previously been granted by the Court pursuant to Title 18, United States Code, Section 3161(h)(7)(A), so that the parties could attempt to resolve the matter and thereby avoid a possible trial, and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has requested such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:
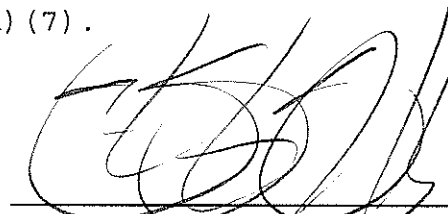
    1.   Plea negotiations are currently in progress, and the defendant desires additional time to finalize a plea agreement, which would render trial of this matter unnecessary;

    2.   Defendant has requested the aforementioned continuance; and

    3.   Pursuant to Title 18 of the United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, on this ___16___ day of November, 2009,

IT IS ORDERED that the period from November 9, 2009, through February 7, 2009 shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(7).

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HON. WILLIAM H. WALLS
United States District Judge